

**TOWN OF BUCKEYE
REGULAR COUNCIL MEETING**

JUNE 6, 2006

MINUTES

**Town Council Chambers
100 N. Apache Road
Buckeye, AZ 85326
7:00 p.m.**

1. Call to Order/Pledge of Allegiance/Roll Call.

Mayor Hull called the meeting to order at 7:01 p.m. and lead the Pledge of Allegiance.

Members Present: Mayor Hull, Mayor Bryant, Vice Mayor Urwiller, Councilman Meck, Vice Mayor Beard, Councilwoman May, Councilman Doster, Councilman Garza, Councilman Hardesty, and Councilman Rioux.

Members Absent: None

Departments Present: Town Manager Carroll Reynolds, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Deputy Clerk Lucinda Aja, Human Resource Director Toni Brown, Fire Chief Scott Rounds, Police Chief Dan Saban, Information Technology Manager Dee Hathaway, Town Engineer Woody Scoutten, Public Information Officer Bob Bushner, Community Development

Director Bob Bushfield,

2. Comments from the Public

Ben McCain wanted Council to know that the various signages around the Town are unsightly and likes the style of Goodyear's signs.

3A. Minutes of the May 16, 2006 Council Workshop and Regular Council Meeting

A motion was made by Vice Mayor Urwiller and seconded by Councilman Meck to approve the May 16, 2006 Council Workshop and Regular Meeting as presented. Motion passed unanimously.

3B. Presentation to Mayor Hull, Vice Mayor Urwiller, and Councilman Meck for years of service

Mayor Hull introduced Avondale Mayor Marie Lopez-Rogers and Anne Marie Chavez, Director of Governmental affairs for Governor Napolitano, who thanked outgoing Mayor and Council for their hard work and wished best regards to incoming Mayor and Council. Town Clerk Linda Garrison presented Councilmember Jackie Meck, Vice Mayor Chris Urwiller, and Mayor Dustin Hull plaques of appreciation from the Town and thanked them for their years of dedicated service.

3C. Oath of Office for Mayor Elect Bryant, Council Elect Doster, Council Elect Hardesty and Council Elect Rioux.

Town Clerk Linda Garrison administered the Oath of Office to new Council and asked them to take their seats.

3D. Nominations for Vice Mayor

Mayor Bryant asked for nominations for Vice Mayor from Council. A nomination was made by Councilman Garza and seconded by Councilman Doster to nominate Councilwoman May for the Vice Mayor position. Councilman Rioux, Councilman Beard, Councilman Hardesty, and Mayor Bryant voted nay. Councilwoman May, Councilman Doster, and Councilman Garza voted aye. Motion died. A nomination was made by Councilman Rioux and seconded by Councilman Hardesty to nominate Councilman Beard for the Vice Mayor position. Mayor Bryant, Councilman Beard, Councilman Doster, Councilman Hardesty, and Councilman Rioux voted aye. Councilwoman May and Councilman Garza voted nay. Motion carried

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters and will be enacted by one motion unless a Councilmember makes requests. Councilwoman May requested Item *5D be pulled for discussion. Councilman Rioux requested Items *5B, *5E, *5H, *5P, *5Q, and *5R be pulled for discussion. A motion was made by Vice Mayor Beard and seconded by Councilman Rioux to approve Items *4, *5A, *5C, *5F, *5G, *5I, *5J, *5K, *5L, *5M, *5N, *5O, and *5S. Councilman Hardesty abstained from Item *5C. Councilman Rioux, Vice Mayor Beard, Mayor Bryant, Councilwoman May, Councilman Doster, and Councilman Garza voted aye. Motion carried. A

motion was made by Councilman Rioux and seconded by Vice Mayor Beard to approve Item *5B. Motion passed unanimously. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to Table Item *5D until the June 20, 2006 Regular Council Meeting. Motion passed unanimously. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to Table Item *5E. Motion passed unanimously. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to approve Item *5H. Motion passed unanimously. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to approve Item *5P. Motion passed unanimously. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to approve Item *5Q. Motion passed unanimously. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to approve Item *5R. Motion passed unanimously.

***4.** Council approved the invoices due for payment. Copies of invoices are available at Town Hall.

***5. NEW BUSINESS – CONSENT AGENDA ITEMS**

***5A.** Council approved the removal of Dustin Hull's name from the list of signers on all Town bank accounts and financial documents and adding the name of Bobby Bryant to the list of official signers on all Town bank accounts.

***5B. Final Plat-FESTIVAL FOOTHILLS PHASE I FP06-10**

Council approved the Final Plat requested by Thomas Beck of Coe & Van Loo Consultants on behalf of Pulte Homes Inc. for 460 lots located in the non-age restricted portion of Pulte/Del Webb's Festival Ranch generally south of Beardsley Parkway and off of Desert Vista Boulevard near the City of Surprise. The school agreement is with Wickenburg.

***5C. Ordinance 45-06 Public Utility Easement within existing Town Right-of-Way**

Council adopted Ordinance 45-06 dedicating a Public Utility Easement within existing Town Right-of-Way on the west side of 6th Street, south of Clanton Avenue adjacent to the property at 517 Clanton Avenue.

***5D. Final Plat-WHITE FENCE FARMS FP05-92**

Council Tabled the Final Plat requested by Michael Sudbeck of Sudbeck Consultants Inc. on behalf of Shep-Land, L.L.C. for 59 one-acre lots on approximately 77 acres located on the southwest corner of Beloit Road and the Rainbow Road alignment.

***5E. Final Plat-Montana Vista II-MONTANA VISTA II FP05-49**

Council Tabled the Final Plat for Montana Vista II requested by George Musser of Musser Engineering Consultants on behalf of PK Development, LLC., consisting of 283 single-family residential lots generally located at the northeast corner of Apache Road and Roeser Road.

***5F. Ordinance 44-06-Annexation-COUCH A05-30**

Council adopted Ordinance 44-06 requested by Joe Blanton of P/Z Consulting LLC on behalf of Dean Couch increasing the corporate limits of the Town of Buckeye by annexing approximately 67.41 acres contiguous to the existing Town limits of the Town of Buckeye, Arizona, located east of the southeast corner of MC85 and east of 239th Avenue.

***5G. Town of Buckeye Annexation Guidelines**

Council approved changes to the Town of Buckeye's Annexation Guidelines by adopting two specific policies: one regarding annexing Right-Of-Ways, and the other regarding aggressively annexing within the Municipal Planning Area.

***5H. Intergovernmental Agreement (IGA) Amendment Between Maricopa County Human Services Department and the Town of Buckeye**

Council approved the amended Intergovernmental Agreement (IGA) between Maricopa County Human Services Department and the Town to provide the Community Action Program in the amount of \$94,105 for Fiscal Year 2007 (July 1, 2006 to June 30, 2007).

***5I. Lease Agreement with Groen Brothers Aviation USA, Inc.- Hangar 6 & 10.**

Council approved the Lease Agreement extension with Groen Brothers Aviation USA, Inc. for Hangar 6 and 10.

***5J. Commercial Aeronautical Activity Permit and Extension of the Lease Agreement with Groen Brothers Aviation USA, Inc. for Hangar 3D.**

Council approved the Commercial Aeronautical Activity Permit and Extension of the Lease Agreement with Groen

Brothers Aviation USA, Inc. for Hangar 3D.

***5K. Lease Agreement with AZDSC Skydivers, Inc., DBA Desert Skydiving Center, for Hangars 5A & 5B.**

Council approved the Commercial Aeronautical Activity Permit and Extension of the Lease Agreement with AZDSC Skydivers, Inc., DBA Desert Skydiving Center, for Hangars 5A and 5B.

***5L. Z & H Engineering Inc. Contract/5 Year**

Council approved the five-year contract with Z & H Engineering Inc. for airport engineering design and airport construction project administration services.

***5M. Arizona Department of Transportation, Aeronautics Division Noise Compatibility Plan Study (Part 150) Grant**

Council approved the Arizona Department of Transportation, Aeronautics Division, matching grant for \$5,264 for the Noise Compatibility Plan Study (Part 150) for the airport and surrounding area, and authorize the Mayor or Town Manager to sign all necessary documents relating to the project.

***5N. Resolution 26-06- Public Record- “The 2006 Amendments to the Tax Code of the Town of Buckeye”.**

Council adopted Resolution 26-06 declaring as a Public Record that certain document be filed with the Town Clerk and entitled “The 2006 Amendments to the Tax Code of the Town of Buckeye”.

***5O. Ordinance 46-06-Privilege License Tax-“The 2006 Amendments to the Tax Code of the Town of Buckeye”**

Council adopted Ordinance 46-06 relating to the Privilege License Tax; adopting “The 2006 Amendments to the Tax Code of the Town of Buckeye” by reference; establishing an effective date; providing for severability and providing penalties for violations.

***5P. Management and Implementation Agreement (MIA)/ Community Development Block Grant (DG0601)**

Council approved the Management and Implementation Agreement (MIA) of a Community Development Block Grant (DG0601) in the amount of \$300,000 for the Buckeye Waterline Improvements.

***5Q. Contract for Construction of the Monroe Avenue 16 inch Water Main and 8 inch Branching Mains and Monroe Avenue Storm Drain from 1st Street to 4th Street (Project Number PW2006 ENG-0001)**

Council approved the award of Contract for Construction of the Monroe Avenue 16 inch Water Main and 8 inch Branching Mains, and Monroe Avenue Storm Drain from 1st Street to 4th Street (Project Number PW2006 ENG-0001) to J.J. Sprague of Arizona, Inc. in the amount of \$422,408.

***5R. Water Booster Facility Upgrades Project**

Council awarded the Contract for Construction of the Water Booster Facility Upgrades Project, to Garney Construction in the amount of \$1,999,900.

***5S. Dedication, Easement and Maintenance Verrado Phase 3 South Agreement**

Council approved the Dedication, Easement and Maintenance Verrado Phase 3 South Agreement, in substantially the form as presented.

6. OLD BUSINESS/TABLED ITEMS

6A. Resolution 22-06- Area Plan-AP05-01

A motion was made by Councilman Rioux and seconded by Councilman Hardesty to adopt Resolution 22-06 approving an Area Plan on approximately 540 acres in order to attach stipulations to the Resolution. Motion passed unanimously.

6B. Resolution 22-06-ENTRADA AREA PLAN AP05-01

A motion was made by Councilwoman May and seconded by Vice Mayor Beard to adopt Resolution 22-06 requested by William Lally on behalf of Garth and Elaine Trust approving an Area Plan with stipulations for Benessere on approximately 540 acres generally located between Rooks Road and Ogelsby Road (SR 85) and MC 85 and Hazen Road. Councilman Hardesty abstained. Councilman Rioux, Vice Mayor Beard, Mayor Bryant, Councilwoman May, Councilman Doster, and Councilman Garza voted aye. Motion carried.

6C. Ordinance 39-06-Rezoning-ENTRADA AREA PLAN RZ05-30

A motion was made by Councilwoman May and seconded by Councilman Rioux to approve Ordinance 39-06 requested by William Lally on behalf of Garth and Elaine Lamb Trust amending the Zoning Map of the Town on

approximately 247.51 acres generally located at the northwest corner of Rooks Road and Hazen Road from the Rural Residential (RR) Zoning District to the Planned Residential (PR) Zoning District. Councilman Hardesty abstained. Councilman Rioux, Vice Mayor Beard, Mayor Bryant, Councilwoman May, Councilman Doster, and Councilman Garza voted aye. Motion carried.

6D. ENTRADA AREA PLAN RZ05-30

A motion was made by Councilwoman May and seconded by Vice Mayor Beard to adopt Ordinance 40-06 requested by William Lally on behalf of Garth and Elaine Lamb Trust amending the Zoning Map of the Town of approximately 289.75 acres generally located at the southwest corner of Rooks Road and MC 85 from the General Commerce (GC) and Rural Residential (RR) Zoning Districts to the Planned Community (PC) Zoning District. Councilman Hardesty abstained. Councilman Rioux, Vice Mayor Beard, Mayor Bryant, Councilwoman May, Councilman Doster, and Councilman Garza voted aye. Motion carried.

7. NEW BUSINESS

7A. PUBLIC HEARING – MAHONEY PROPERTIES LIMITED A05-27

A Public Hearing was opened at 7:40 p.m. to hear citizen input on the request from Mahoney Properties Limited Liability Partnership for the proposed annexation of approximately 80 acres from Maricopa County into the Town, located west of the southwest corner of Miller Road and Hazen Road. There being no comment from the public the hearing was closed at 7:40 p.m.

7B. PUBLIC HEARING – SVP ASSEMBLAGE A06-05

A Public Hearing was opened at 7:41 p.m. to hear citizen input on the request from Michael Fa for the proposed annexation of approximately 27.6 acres from Maricopa County into the Town, located along the west side of Sun Valley Parkway, between McDowell Road and Roosevelt Street. There being no comment from the public the hearing was closed at 7:41 p.m.

7C. PUBLIC HEARING – SVP ASSEMBLAGE A06-06

A Public Hearing was opened at 7:42 p.m. to hear citizen input on the request from Michael Fa for the proposed annexation of approximately 28.9 acres from Maricopa County into the Town, located along the west side of Sun Valley Parkway, between Washington Street and Roosevelt Street. There being no comment from the public the hearing was closed at 7:42 p.m.

7D. PUBLIC HEARING – WHITE/CARTER PROPERTIES A05-22

A Public Hearing was opened at 7:42 p.m. to hear citizen input on the request from Connie White, and Edward and Darla Carter for the proposed annexation of four (4) parcels totaling approximately 10 acres in size from Maricopa County into the Town, located west of Rainbow Road and south of the Buckeye Canal. There being no comment from the public the hearing was closed at 7:42 p.m.

7E. PUBLIC HEARING – DISCOUNT STEEL INC. A6-03

A Public Hearing was opened at 7:43 p.m. to hear citizen input on the request from Donald and Betty Smith for the proposed annexation of one (1) parcel of less than one (1) acre in size from Maricopa County into the Town, located at 1144 N. 191st Avenue, south of Interstate 10 and north of Roosevelt Street. Jason Rendalman told Council that as a neighboring landowner he was concerned about the property being made into a steel business. Planner Adam Zaklikowski stated that this is an annexation only and has nothing to do with a request to rezone. Mr. Zaklikowski stated by accepting this into the Town we could control the future of the site. Sandra Rendalman confirmed that this would be a residential lot. There being no further public comment the hearing was closed at 7:46 p.m.

7F. PUBLIC HEARING – Requested by Mark Steinmetz of Romulus, Inc. on behalf of Lydia Hendricks. A06-11

Town Attorney Scott Ruby requested that this Public Hearing for the request from Mark Steinmetz of Romulus, Inc. on behalf of Lydia Hendrick for the proposed annexation of approximately 21 acres generally located at the northeast corner of Miller Road and Durango Road from the Rural Residential (RR) Zoning District to General Commerce (GC) Zoning District be moved to another Council Meeting. The request was granted.

7G. Ordinance 47-06-Rezoning- HENDRICKS NEC MILLER AND DURANGO RZ 06-11

Town Manager Carroll Reynolds stated that a traffic study would be done in the area. A motion was made by Councilman Rioux and seconded by Councilman Hardesty to adopt Ordinance 47-06 amending the Zoning Map of the Town of Buckeye on approximately 21 acres generally located at the northeast corner of Miller Road and Durango Road from the Rural Residential (RR) Zoning District to General Commerce (GC) Zoning District.

Request by Mark Steinmetz of Romulus, Inc on behalf of Lydia Hendricks. Motion passed unanimously.

7H. Ordinance 48-06-Kiosk Signs for the Town of Buckeye

Assistant to the Town Manager Sara Blank, along with Doug O'Coin of Motivational Systems, Inc., showed Council a PowerPoint Presentation and was available to answer Council's questions. A motion was made by Vice Mayor Beard and seconded by Councilman Rioux to adopt Ordinance 48-06 amending the Town of Buckeye Development Code, Article 5, Section 7-5-11, Signs, to allow for the use and placement of kiosk signs in the Town of Buckeye. Motion passed unanimously.

7I. Kiosk Sign Design for the Town of Buckeye

Assistant to the Town Manager Sara Blank showed Council samples of possible signs for the Town. A motion was made by Councilman Doster and seconded by Councilwoman May to approve the design of a kiosk sign for the Town of Buckeye. Motion passed unanimously.

7J. Ford Expedition for use by the Mayor

The former Mayor's vehicle will be returned to the fleet rotation. A motion was made by Councilman Doster and seconded by Councilman Rioux to approve the purchase from FY 2006 contingency fund a Ford Expedition for the Mayor in the amount of \$33,175.31 on State Contract #40/AD040004. Mayor Bryant abstained. Councilman Rioux, Councilman Hardesty, Vice Mayor Beard, Councilwoman May, Councilman Doster, and Councilman Garza voted aye. Motion carried.

7K. A-Arid State House Movers & Ent. Inc. Contract Funding for Raney House

Realtor Karla Walters told Council that the house would have to be moved quickly or be torn down by the developer. House mover Roy Dean stated that permission could be obtained to put the house on the lot being purchased by the Town with a safety fence around it. It was agreed that the property would be in the Town's name. A motion was made by Vice Mayor Beard and seconded by Councilwoman May to approve the funding for the contract with A-Arid State House Movers & Ent. Inc. for the relocation of the Raney House from the vicinity of Irwin Street and Miller Road to 6th Street and Monroe Avenue in the amount of \$41,000 (\$21,000 from Fiscal Year 2006 contingency interfund loan and \$20,000 from Fiscal Year 2007 Downtown Revitalization funds. Motion passed unanimously.

7L. Council Liaisons for Boards and Commissions

A motion was made by Vice Mayor Beard and seconded by Councilman Rioux to appoint the following Council liaisons to Boards and Commissions:

- Airport Advisory Committee-Councilman Doster
- Cemetery Advisory Committee-Councilwoman May
- Development Board-Councilman Hardesty
- Industrial Development Authority and Buckeye Pollution Control Board-Vice Mayor Beard
- Library Board-Councilman Garza
- Parks and Recreation Board-Councilman Rioux
- Personnel Board-None
- Public Safety Retirement Board – Fire-Councilman Garza
- Public Safety Retirement Board – Police-Councilwoman May
- Social Services Advisory Board –Mayor Bryant
- Volunteer Firefighters Pension Board-Councilman Garza

Motion passed unanimously.

7M. July 4, 2006 Regular Meeting

A motion was made by Councilwoman May and seconded by Vice Mayor Beard to cancel the July 4, 2006 Regular Meeting. Motion passed unanimously.

7N. Resolution 25-06-Fiscal Year 2006/2007 Tentative Budget

A motion was made by Vice Mayor Beard and seconded by Councilwoman May to adopt Resolution 25-06 approving the Fiscal Year 2006/2007 Tentative Budget as prescribed in the State Auditor General forms. Councilman Doster voiced concerns about the tax rate drop. A motion was made by Councilman Doster and seconded by Councilman Rioux to amend motion to include the primary and secondary tax rate to be maintained at the current level, and the amount to be returned to the Emergency Reserve. Vice Mayor Beard and Councilman Hardesty voted nay. Mayor Bryant, Councilman Rioux, Councilwoman May, Councilman Doster, and Councilman Garza voted aye. Motion carried.

Town Manager's Report

- Apologized to citizens for any inconvenience caused by the remodeling of Town Hall.
- June 17th the Council Retreat at Verrado
- Need to schedule benefits meeting and pictures for Council.

9. Comments from the Mayor and Council

- Councilman Garza welcomed new Councilmembers and hopes they can work as a team.
- Councilman Doster welcomed new Council and thanked outgoing members. Budget process showed good will.
- Councilman Rioux would like to have monthly reports from Town Departments for accomplishments and goals, and would like an October Community Meeting, and thanked outgoing Council.
- Councilman Hardesty thanked outgoing Council and welcomed new Council, and welcomed citizen input.
- Councilwoman May-None
- Vice Mayor Beard-None
- Mayor Bryant-Thanked voters and thanked incoming and outgoing Council.

10. Adjournment.

There being no further business a motion was made by Vice Mayor Beard and seconded by Councilwoman May to adjourn the meeting at 8:57 p.m.

IMMEDIATELY FOLLOWING THE REGULAR COUNCIL MEETING A RECEPTION WAS HELD TO WELCOME IN THE NEWLY ELECTED OFFICIALS.

Bobby Bryant, Mayor

ATTEST:

Linda Garrison, Town Clerk

I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 6th day of June 2006. I further certify that a quorum was present.

Linda Garrison, Town Clerk